

REMARKS

In the Office Action mailed August 24, 2006 the Examiner rejected claims 1-18. In the interest of expediting prosecution, but without conceding the validity of the rejection, Applicant has amended the claims by canceling claims 1-15 without prejudice, by amending claims 16-18 and by adding new claims 19-34. Now pending, therefore, are claims 16-34.

As will be seen, the pending claims are directed particularly at a unique roof structure, which Applicant believes is neither taught nor suggested by the prior art. In one aspect, claims have been presented to address a unique construction that serves multiple functions including, for example, suitable load bearing surfaces, insulation, and the ability to offer a generally truss free attic structure, providing for additional usable space. This is particularly beneficial in the construction of residential homes, where a need exists for locating mechanical systems within a home, and where the home has no basement. In addition, the present system offers an ergonomic benefit that panels can be pre-fabricated (and even mass produced), fabricated at ground level, or both. In contrast, conventional construction requires construction at roof heights, with the attendant inconveniences of the same.

The items cited by the Examiner fail to address the problems solved by the present technology, let alone an efficient solution to such problems. Accordingly, the present claims are believed patentable over the prior art. Withdrawal of the rejection and allowance of the claims is respectfully requested.

The foregoing amendments are taken in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicant would otherwise be entitled in view of the prior art.

By amending the application, the Applicants do not concede that the patent coverage available to them would not extend as far as the original claim. Rather, Applicants intend to file a continuation application to pursue the breadth of the claims as filed. Applicants believe that the Examiner has not made a sufficient showing of inherency of the teachings of the asserted prior art, especially given the lack of teachings in the cited references of the properties that Applicants have recited in their claims.

Further, by the present amendment, it does not follow that the amended claims have become so perfect in their description that no one could devise an equivalent. After amendment, as before, limitations in the ability to describe the present invention in language in the patent claims naturally prevent the Applicants from capturing every nuance of the invention or describing with complete precision the range of its novelty or every possible equivalent. See, Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 62 USPQ2d 1705 (2002). Accordingly, the foregoing amendments are made specifically in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled.

REVOCATION OF PRIOR POWER OF ATTORNEY AND NEW POWER OF ATTORNEY

Applicant would like to bring to the attention of the Examiner that a Revocation of Prior Powers and New Power of Attorney was filed in this matter on December 1, 2005, which is not reflected in the file wrapper. For sake of clarification, Applicant has attached a copy of what was filed on December 1, 2005, to assure that all future mailings are sent to the undersigned below.

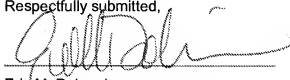
CONCLUSIONS

In view of Applicant's amendments and remarks, the Examiner's rejections are believed to be rendered moot. Accordingly, Applicant submits that the present application is in condition for allowance and requests that the Examiner pass the case to issue at the earliest convenience. Should the Examiner have any question or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned at (248) 292-2920.

If for some reason Applicant has not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge our Deposit Account No. 50-1097 for any fee which may be due.

Dated: Nov. 20, 2006

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Eric M. Dobrusin", written over a horizontal line.

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